



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

JAMES E. JOHNSON
Corporation Counsel

VALERIE E. SMITH
Senior Counsel
Phone: (212) 356-2398
Fax: (212) 356-3509
vsmith@law.nyc.gov

July 16, 2020

BY ECF

Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Anthony House v. City of New York, et al.
18-CV-6693 (PAE)

Your Honor:

I am a Senior Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, the attorney assigned to represent defendants City of New York and the Department of Correction (“City Defendants”) in the above-referenced matter. City Defendants write to respectfully request the Court stay the deadline for City Defendants to file unredacted documents as ordered by Your Honor on July 14, 2020, *see* Docket Entry No. 103, pending a decision on their motion for reconsideration of this order which, in accordance with Local Civil Rule 6.3, will be filed on July 28, 2020. City Defendants’ further request that plaintiff’s unredacted documents filed on July 16, 2020 be removed from the publicly available docket until such time as defendants have the opportunity to be heard on this matter. *See* ECF Dkt. Nos. 104-106.

By way of background, by Order dated July 14, 2020, the parties were *sua sponte* instructed to re-file previously sealed and redacted documents due to the repeal of GEN. MUN. LAW § 50-a by July 17, 2020. *See* ECF Dkt. No. 103. Specifically, the Court ordered that any under-seal filings related to law enforcement disciplinary records be unsealed and for the parties to re-file versions of their documents that remove redactions to law enforcement disciplinary records. Today, plaintiff’s counsel filed their unredacted memorandum of law, unredacted 56.1 response and unredacted declaration and exhibits on the civil docket sheet. *See* ECF Dkt. Nos. 104-106.

The Court’s July 14, 2020 order was made however, without affording the City defendants an opportunity to be heard on this very important issue. Defendants now intend to move to reconsider the Court’s order. In the interim, while the motion for reconsideration is pending, City Defendants further respectfully request that plaintiff’s filings at ECF Docket Entry

numbers 104, 105, and 106 be removed from the public docket until such a decision is rendered on the motion for reconsideration.

Accordingly, City Defendants respectfully request the Court grant this application for a stay of the deadline for City Defendants' to file their unredacted memorandum of law, unredacted 56.1 statement, and unredacted declaration and exhibits until a time after the Court had rendered a decision on City Defendants' motion for reconsideration. Thank you for consideration of the matter herein.

Respectfully submitted,



Valerie E. Smith
Senior Counsel
Special Federal Litigation Division

cc: Via ECF
Devon Radlin Esq.
Attorney for Plaintiff

Sonia Chazen Esq.
Attorney for Co-defendant Seepaul

Defendants are to file a letter outlining their arguments in support of reconsideration by July 24, 2020. If plaintiff wishes to respond, his response is due July 27, 2020. In the interim, the Court stays defendants' obligation to file their unredacted documents. The Court declines, however, to strike plaintiff's unredacted filings from the docket, as defendants have not provided a reason to do so.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

July 17, 2020